

**UNITED STATES BANKRUPTCY COURT**  
**District of New Jersey**

IN RE: **Wayne Irvine Mayers**  
**Sheryl Agnes Mayers**

Debtor(s)

Case No.: 17-19707

Judge: \_\_\_\_\_

Chapter: 13

**CHAPTER 13 PLAN AND MOTIONS**

☒ Original

☒ Motions Included

☐ Modified/Notice Required

☐ Modified/No Notice Required

☒ Discharge Sought

☐ No Discharge Sought

Date: 5-24-2017

THE DEBTOR HAS FILED FOR RELIEF UNDER  
 CHAPTER 13 OF THE BANKRUPTCY CODE.

**YOUR RIGHTS WILL BE AFFECTED.**

You should have received from the court a separate *Notice of the Hearing on Confirmation of Plan*, which contains the date of the confirmation hearing on the Plan proposed by the Debtor. This document is the actual Plan proposed by the Debtor to adjust debts. You should read these papers carefully and discuss them with your attorney. Anyone who wishes to oppose any provision of this Plan or any motion included in it must file a written objection within the time frame stated in the Notice. **This Plan may be confirmed and become binding, and included motions may be granted without further notice or hearing, unless written objection is filed before the deadline stated in the Notice.**

**YOU SHOULD FILE A PROOF OF CLAIM BY THE DEADLINE STATED  
 IN THE NOTICE TO RECEIVE DISTRIBUTIONS UNDER ANY PLAN  
 THAT MAY BE CONFIRMED, EVEN IF THE PLAN REFERS TO YOUR CLAIM**

**Part 1: Payment and Length of Plan**

a. The Debtor shall pay 375.00 Monthly to the Chapter 13 Trustee, starting on June 1, 2017 for approximately 60 months.

b. The Debtor shall make plan payments to the Trustee from the following sources:

☒

Future Earnings

☐

Other sources of funding (describe source, amount and date when funds are available):

c. Use of real property to satisfy plan obligations:

☐ Sale of real property  
Description:  
Proposed date for completion: \_\_\_\_\_

☐ Refinance of real property  
Description:  
Proposed date for completion: \_\_\_\_\_

☐ Loan modification with respect to mortgage encumbering property  
Description:  
Proposed date for completion: \_\_\_\_\_

d. ☐ The regular monthly mortgage payment will continue pending the sale, refinance or loan modification.

e. ☐ Other information that may be important relating to the payment and length of plan:

## Part 2: Adequate Protection

a. Adequate protection payments will be made in the amount of \$ \_\_\_\_ to be paid to the Chapter 13 Trustee and disbursed pre-confirmation to \_\_\_\_ (creditor).

b. Adequate protection payments will be made in the amount of \$ \_\_\_\_ to be paid directly by the debtor(s) outside of the Plan, pre-confirmation to \_\_\_\_ (creditor).

## Part 3: Priority Claims (Including Administrative Expenses)

All allowed priority claims will be paid in full unless the creditor agrees otherwise:

Creditor	Type of Priority	Amount to be Paid
Kirsten B. Ennis, Esq. ~KBE7927	Attorney Fees	1,750.00

## Part 4: Secured Claims

### a. Curing Default and Maintaining Payments

The Debtor shall pay to the Trustee (as part of the Plan) allowed claims for arrearages on monthly obligations and the Debtor shall pay directly to the creditor (outside the Plan) monthly obligations due after the bankruptcy filing as follows:

Creditor	Collateral or Type of Debt	Arrearage	Interest Rate on Arrearage	Amount to be Paid to Creditor (In Plan)	Regular Monthly Payment (Outside Plan)
M & T Bank	8 Colby Court Belvidere, NJ 07823 Warren County	6,713.24	0.00	6,713.24	1877.26

### b. Modification

1.) The Debtor values collateral as indicated below. If the claim may be modified under Section 1322(b)(2), the secured creditor shall be paid the amount listed as the "Value of the Creditor Interest in Collateral," plus interest as stated. The portion of any allowed claim that exceeds that value shall be treated as an unsecured claim. If a secured claim is identified as having "NO VALUE" it shall be treated as an

unsecured claim.

**NOTE: A modification under this section ALSO REQUIRES the appropriate motion to be filed under Section 7 of the Plan.**

Creditor	Collateral	Scheduled Debt	Total Collateral Value	Superior Liens	Value of Creditor Interest in Collateral	Annual Interest Rate	Total Amount to Be Paid
<b>Wfds</b>	<b>2010 Honda Odyssey EX Wagon 81,000 miles</b>	<b>14,515.00</b>	<b>8,500.00</b>	<b>None</b>	<b>8,500.00</b>	<b>4.25</b>	<b>9,558.66</b>

2.) Where the Debtor retains collateral and completes the Plan, payment of the full amount of the allowed secured claim shall discharge the corresponding lien.

**c. Surrender**

Upon confirmation, the stay is terminated as to surrendered collateral. The Debtor surrenders the following collateral:

Creditor	Collateral to be Surrendered	Value of Surrendered Collateral	Remaining Unsecured Debt
<b>-NONE-</b>			

**d. Secured Claims Unaffected by the Plan**

The following secured claims are unaffected by the Plan:

Creditor

**-NONE-**

**e. Secured Claims to be paid in full through the Plan**

Creditor	Collateral	Total Amount to be Paid through the Plan
<b>River Edge Park Condo Assoc. INC</b>	<b>8 Colby Court Belvidere, NJ 07823 Warren County</b>	<b>1342.00</b>

**Part 5: Unsecured Claims**

a. **Not separately classified** Allowed non-priority unsecured claims shall be paid:

\_\_\_\_\_ Not less than \$ \_\_\_\_ to be distributed *pro rata*

\_\_\_\_\_ Not less than \_\_\_\_ percent

  **x**   *Pro Rata* distribution from any remaining funds

b. **Separately Classified Unsecured Claims** shall be treated as follows:

Creditor	Basis for Separate Classification	Treatment	Amount to be Paid
<b>-NONE-</b>			

**Part 6: Executory Contracts and Unexpired Leases**

All executory contracts and unexpired leases are rejected, except the following, which are assumed:

Creditor	Nature of Contract or Lease	Treatment by Debtor
<b>-NONE-</b>		

## Part 7: Motions

**NOTE: All plans containing motions must be served on all potentially affected creditors, together with local form, Notice of Chapter 13 Plan Transmittal, within the time and in the manner set forth in D.N.J. LBR 3015-1. A Certification of Service must be filed with the Clerk of Court when the plan and transmittal notice are served.**

### a. Motion to Avoid Liens under 11 U.S.C. Section 522(f).

The Debtor moves to avoid the following liens that impair exemptions:

Creditor	Nature of Collateral	Type of Lien	Amount of Lien	Value of Collateral	Amount of Claimed Exemption	Sum of All Other Liens Against the Property	Amount of Lien to be Avoided
-NONE-							

### b. Motion to Avoid Liens and Reclassify Claim from Secured to Completely Unsecured.

The Debtor moves to reclassify the following claims as unsecured and to void liens on collateral consistent with Part 4 above:

Creditor	Collateral	Amount of Lien to be Reclassified
-NONE-		

### c. Motion to Partially Void Liens and Reclassify Underlying Claims as Partially Secured and Partially Unsecured.

The Debtor moves to reclassify the following claims as partially secured and partially unsecured, and to void liens on collateral consistent with Part 4 above:

Creditor	Collateral	Amount to be Deemed Secured	Amount to be Reclassified as Unsecured
Wfds	2010 Honda Odyssey EX Wagon 81,000 miles	8,500.00	6,015.00

## Part 8: Other Plan Provisions

### a. Vesting of Property of the Estate

- ☒ Upon Confirmation  
☐ Upon Discharge

### b. Payment Notices

Creditors and Lessors provided for in Parts 4, 6 or 7 may continue to mail customary notices or coupons to the Debtor notwithstanding the automatic stay.

### c. Order of Distribution

The Trustee shall pay allowed claims in the following order:

- 1) Trustee Commissions
- 2) Other Administrative Claims

- 3) Secured Claims
- 4) Lease Arrearages
- 5) Priority Claims
- 6) General Unsecured Claims

**d. Post-petition claims**

The Trustee ☐ is, ☒ is not authorized to pay post-petition claims filed pursuant to 11 U.S.C. Section 1305(a) in the amount filed by the post-petition claimant.

**Part 9 : Modification**

If this plan modifies a plan previously filed in this case, complete the information below.

Date of Plan being modified: \_\_\_\_\_.

Explain below <b>why</b> the Plan is being modified.	Explain below <b>how</b> the Plan is being modified
--	---

Are Schedules I and J being filed simultaneously with this modified Plan? ☐ Yes ☐ No

**Part 10: Sign Here**

The debtor(s) and the attorney for the debtor (if any) must sign this Plan.

Date May 24, 2017 /s/ Kirsten B. Ennis, Esq.  
Kirsten B. Ennis, Esq.  
Attorney for the Debtor

I certify under penalty of perjury that the foregoing is true and correct.

Date: May 24, 2017 /s/ Wayne Irvine Mayers  
Wayne Irvine Mayers  
Debtor

Date: May 24, 2017 /s/ Sheryl Agnes Mayers  
Sheryl Agnes Mayers  
Joint Debtor

**Certificate of Notice Page 6 of 7**  
 United States Bankruptcy Court  
 District of New Jersey

In re:  
 Wayne Irvine Mayers  
 Sheryl Agnes Mayers  
 Debtors

Case No. 17-19707-CMG  
 Chapter 13

**CERTIFICATE OF NOTICE**

District/off: 0312-3

User: admin  
 Form ID: pdf901

Page 1 of 2  
 Total Noticed: 33

Date Rcvd: May 30, 2017

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jun 01, 2017.

db/jdb +Wayne Irvine Mayers, Sheryl Agnes Mayers, 8 Colby Court, Belvidere, NJ 07823-2754  
 516819976 +Barclays Bank Delaware, Po Box 8803, Wilmington, DE 19899-8803  
 516819977 +Bby/cbna, Po Box 6497, Sioux Falls, SD 57117-6497  
 516819978 ++CAPITAL ONE, PO BOX 30285, SALT LAKE CITY UT 84130-0285  
 (address filed with court: Capital One, 15000 Capital One Dr, Richmond, VA 23238)  
 516819979 ++CITIBANK, PO BOX 790034, ST LOUIS MO 63179-0034  
 (address filed with court: Cbna, 50 Northwest Point Road, Elk Grove Village, IL 60007)  
 516819980 +Ccs/first National Ban, 500 E 60th St N, Sioux Falls, SD 57104-0478  
 516819981 +Comenity Bank/womnwthn, 4590 E Broad St, Columbus, OH 43213-1301  
 516819982 +Comenity Capital/hsn, 995 W 122nd Ave, Westminster, CO 80234-3417  
 516819983 +Comenitybk/fullbeauty, 4590 E Broad St, Columbus, OH 43213-1301  
 516819984 +Comenitycap/boscovs, Po Box 182120, Columbus, OH 43218-2120  
 516819986 ++FIRST SAVINGS BANK, PO BOX 5096, SIOUX FALLS SD 57117-5096  
 (address filed with court: Fsb Blaze, 5501 S Broadband Ln, Sioux Falls, SD 57108)  
 516819985 +Figis, PO BOX 77001, Madison, WI 53707-1001  
 516853450 +Ginny's, 1112 7th Avenue, Monroe, WI 53566-1364  
 516853463 +Miles Kinmball, 250 City Center, Oshkosh, WI 54906-0001  
 516845371 +Nelnet on behalf of COAC, College Assist, PO Box 16358, St. Paul, MN 55116-0358  
 516819990 +River Edge Park Condo Assoc. INC, PO Box 636, Chester, NJ 07930-0636  
 516819991 +Sears/cbna, Po Box 6283, Sioux Falls, SD 57117-6283  
 516853461 +Stoneberry, 1356 William Street, Chippewa Falls, WI 54729-1500  
 516853462 +Swiss Colony, PO Box 2814, Monroe, WI 53566-8014  
 516819995 +Td Bank Usa/targetcred, Po Box 673, Minneapolis, MN 55440-0673  
 516819996 +Wfids, Po Box 1697, Winterville, NC 28590-1697

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.  
 smg E-mail/Text: usanj.njbankr@usdoj.gov May 30 2017 22:06:31 U.S. Attorney, 970 Broad St.,  
 Room 502, Rodino Federal Bldg., Newark, NJ 07102-2534

smg +E-mail/Text: ustpreion03.ne.ecf@usdoj.gov May 30 2017 22:06:30 United States Trustee,  
 Office of the United States Trustee, 1085 Raymond Blvd., One Newark Center, Suite 2100,  
 Newark, NJ 07102-5235  
 516853448 +E-mail/Text: AEPPcreditdept@amerimark.com May 30 2017 22:06:45 Amerimark, 6864 Engle Road,  
 Cleveland, OH 44130-7910  
 516853464 +E-mail/Text: LTDBankruptcy@ltdcommodities.com May 30 2017 22:06:46 LTD Commodities,  
 2800 Lakeside Dr., Bannockburn, IL 60015-1280  
 516819987 E-mail/Text: camanagement@mtb.com May 30 2017 22:06:26 M & T Bank, PO BOX 62182,  
 Baltimore, MD 21264  
 516819988 +E-mail/Text: bkr@cardworks.com May 30 2017 22:06:13 Merrick Bank, Po Box 9201,  
 Old Bethpage, NY 11804-9001  
 516819989 +E-mail/Text: electronicbkdocs@nelnet.net May 30 2017 22:06:32 Nelnet Loans,  
 6420 Southpoint Pkwy, Jacksonville, FL 32216-0946  
 516819992 +E-mail/PDF: gecsedirecoverycorp.com May 30 2017 21:58:42 Synch/qvc, Po Box 965018,  
 Orlando, FL 32896-5018  
 516819993 +E-mail/PDF: gecsedirecoverycorp.com May 30 2017 21:58:49 Synch/toysrus, Po Box 965005,  
 Orlando, FL 32896-5005  
 516819994 +E-mail/PDF: gecsedirecoverycorp.com May 30 2017 21:58:35 Synch/walmart, Po Box 965024,  
 Orlando, FL 32896-5024  
 516822761 +E-mail/PDF: gecsedirecoverycorp.com May 30 2017 21:58:35 Synchrony Bank,  
 c/o of PRA Receivables Management, LLC, PO Box 41021, Norfolk, VA 23541-1021  
 516853460 +E-mail/Text: LTDBankruptcy@ltdcommodities.com May 30 2017 22:06:46 Xfinity,  
 c/o LTD Commodities, PO Box 296, Northbrook, IL 60065-0296

TOTAL: 12

\*\*\*\*\* BYPASSED RECIPIENTS \*\*\*\*\*

NONE.

TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.  
 USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '++' were redirected to the recipient's preferred mailing address  
 pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.PR.2002(g)(4).

District/off: 0312-3

User: admin  
Form ID: pdf901

Page 2 of 2  
Total Noticed: 33

Date Rcvd: May 30, 2017

\*\*\*\*\* BYPASSED RECIPIENTS (continued) \*\*\*\*\*

**I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.**

**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Jun 01, 2017

Signature: /s/Joseph Speetjens

---

## CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on May 25, 2017 at the address(es) listed below:

Albert Russo docs@russotrustee.com  
Denise E. Carlon on behalf of Creditor M&T BANK dcarlon@kmlawgroup.com,  
bkgroup@kmlawgroup.com  
Kirsten B. Ennis on behalf of Joint Debtor Sheryl Agnes Mayers pacerecf@ennislegal.com,  
r53278@notify.bestcase.com  
Kirsten B. Ennis on behalf of Debtor Wayne Irvine Mayers pacerecf@ennislegal.com,  
r53278@notify.bestcase.com  
U.S. Trustee. USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 5